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UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Kirkland**

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Serial No.: 10/087,952

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Group Art Unit: 2168

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Filed: February 27, 2002

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Examiner: **Cheyne D. Ly**

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For: **Apparatus and Method for
Generating Graphic Representation
of Estimated Time of Completion of a
Server Request**

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Attorney Docket No.: **AUS920020019US1**

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Notice of Allowance dated July 6, 2006, please consider the following comments on statement of reasons for allowance:

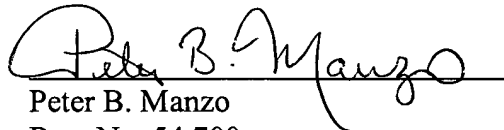
REMARKS

Applicant agrees with the Examiner that “[t]he prior art of record fails to teach or suggest the claimed invention individually or in combination wherein the limitation of ‘generating a third estimate...based on the first and second estimates’ as set forth in claim 1, and similarly in claims 25 and 42.” Notice of Allowability, page 2, item 6. However, Applicant respectfully submits that claims 1, 25, and 42 also include additionally allowable subject matter. Specifically, since the prior art does not teach or suggest “generating a third estimate of a total amount of time to complete the content request based on the first and second time estimates,” then the prior art cannot teach or suggest “generating a graphical representation of the third estimate” as further recited in claims 1, 25, and 42. Furthermore, Applicant respectfully submits that the prior art does not teach or suggest “receiving a first estimate of an amount of time to retrieve or prepare requested content in a content source device” as recited in claims 1, 25, and 42.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 7-20-06

Respectfully submitted,



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